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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/689,375

10/20/2003

David W. Baarman

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WARNER, NORCROSS & JUDD
IN RE: ALTICOR INC.
INTELLECTUAL PROPERTY GROUP
111 LYON STREET, N. W. STE 900
GRAND RAPIDS, MI 49503-2489

EXAMINER

AMAYA, CARLOS DAVID

ART UNIT

PAPER NUMBER

2836

MAIL DATE

DELIVERY MODE

09/03/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/689,375	Applicant(s) BAARMAN, DAVID W.	
	Examiner CARLOS AMAYA	Art Unit 2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-8,12,13,23,24 and 47-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5-8,12-13,23-24,47-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/14/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In view of the Appeal Brief filed on 6/11/2008, PROSECUTION IS HEREBY REOPENED. New grounds of rejection are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Michael J Sherry/

Supervisory Patent Examiner, Art Unit 2836

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 13, 23-24, 47-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parks et al (US 5,455,466) in view of Stephens (US 5,734,254).

With respect to claim 1, 13, 24, 50-51, Parks discloses a system for charging a remote device rechargeable power source comprising: a remote device (12) including the remote device rechargeable power source (225) and a remote device transceiver (Modem 220); a contactless power supply having a primary and a CPS transceiver (CPS 14 has primary 200a and transceiver 204, 206);

However, does not expressly disclose an adapter connectable to the remote device and including a secondary, a power regulator to supply power to the remote device rechargeable power source, an adapter rechargeable power source for powering the adapter, a first adapter transceiver to establish a first two-way communication link with the remote device transceiver, and a second adapter transceiver to establish a second two-way communication link with the CPS transceiver.

Stephens disclose an adapter (240, figure 3) connectable to the remote device (290) and including a secondary (263), a power regulator (261) to supply power to the remote device rechargeable power source (col. 5 lines 4-19), an adapter rechargeable power source for powering the adapter (battery 212 could be used as an adapter rechargeable power source, furthermore it is well know that remote devices comprise rechargeable power sources to be used when there is no AC source present, laptop computers for example), a first adapter transceiver (IR port 255) to establish a first two-way communication link with the remote device transceiver (285), and a second adapter

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transceiver (254) to establish a second two-way communication link with the CPS transceiver.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the invention disclosed by Parks to include the adaptor with a rechargeable power source as taught by Stephens, for the purpose of providing power to different devices from different sources.

With respect to claim 3 Parks in view of Stephens disclose the system of claim 1 further comprising a controller to control the power regulator (controller 250).

With respect to claim 23, 47-49 Parks in view of Stephens disclose a first communication link between the remote device (290) and an adapter (240); creating a second communication link (254) between the adapter and the contactless power supply; creating a third communication link between the contactless power supply Parks (CPS 14) and a computer (16). While a fourth communication link is not expressly taught, it is well known to one of ordinary skill in the art to connect a computer to a network via a communication link. It would have been obvious to one of ordinary skill in the art at the time of the invention to connect the computer to a network to transmit and receive data from other computers and network-enabled devices, the internet for example.

4. Claims 5-8, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parks et al (US 5,455,466) in view of Stephens (US 5,734,254) in further view of Zimmer (US 6,703,920).

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Parks in view of Stephens discloses an inductive charging system as claimed above, but does not teach that the contactless interface may include a variable impedance element. Zimmer teaches a method of contactless transmission of power or data, having a resonant circuit. The impedance of the resonant circuit is varied by switching an impedance element in either series or parallel configuration, as set by controller 2 (Zimmer, Figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to include such variable impedance in the combination of Parks and Stephens in order to provide optimal transmission of data and power over the contactless power interface (Zimmer, column 4 lines 6-15). Furthermore, inductive elements may be switched as taught by Zimmer (column 4, lines 30-37).

With respect to claim 12 Parks in view of Stephens in further view of Zimmer disclose the system of claim 8 where the adapter receives charging requirements from the remote device through the first communication link (285).

Response to Arguments

5. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CARLOS AMAYA whose telephone number is (571) 272-8941. The examiner can normally be reached on M-F 8-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Sherry can be reached on (571) 272-2800. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael J Sherry/
Supervisory Patent Examiner, Art Unit 2836

/C. A./
Examiner, Art Unit 2836